



CrI.OP.No.10441 of 2023

**CrI.O.P.No.10441 of 2023**

**G.K.ILANTHIRAIYAN, J.**

The petitioner, who was arrested and remanded to judicial custody on 21.03.2023 at the hands of the respondent police for the offence punishable under Section 392 of IPC, in Crime No.51 of 2018, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused robbed 5 ½ sovereigns of gold chain from the neck of the defacto complainant worth about Rs.55,000/- and ran away from the place of occurrence. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 21.03.2023. The petitioner has nothing to do with the allegation as alleged by the prosecution and as such a false complaint has been foisted as against the petitioner. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused robbed 5 ½ sovereigns of gold chain from the neck of the defacto complainant worth about Rs.55,000/- and ran away from the place of occurrence. Hence, he vehemently opposed to grant bail to the petitioner.



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5. It is seen that the petitioner was already granted bail. Subsequently, the respondent had completed the investigation in Crime No.51 of 2018 and filed a final report and the same has been taken cognizance in C.C.No.129 of 2018, on the file of the Judicial Magistrate, Palladam. However, the petitioner was absent before the Trial Court and as such the Trial Court issued Non-Bailable warrant on 20.07.2018. While pending Non-Bailable warrant, the petitioner had again committed the similar offence and he was arrested and produced on PT warrant in the present case. Only because of his absence, the Trial has been stalled for the past six years. If he is let out on bail, there is a possibility for the petitioner to flee away from the jurisdiction of the Trial Court.

6. Taking into consideration of the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

05.05.2023

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